



GAVIN NEWSOM  
GOVERNOR



JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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**State Water Resources Control Board**

January 29, 2019

System No. 1000483

Mr. Troy Gillespie, Owner  
River Ranch Raisins  
4790 Caughlin Parkway, #808  
Reno, Nevada 89519

cc: Amy Burgess, Site Manager  
River Ranch Raisins  
P.O. Box 27  
Biola, CA 93606

**CITATION NO. 03-23-19C-001**

**TOTAL COLIFORM MONITORING VIOLATION  
FOR 2016, 2017 and 2018**

**FAILURE TO MONITOR FOR NITRATE DURING 2016, 2017 and 2018**

**FAILURE TO SUBMIT CHANGE OF OWNERSHIP PERMITTING PACKAGE  
2016, 2017 and 2018**

Enclosed is Citation No. 03-23-19C-001 (hereinafter "Citation"), issued to the River Ranch Raisins (hereinafter "Water System") public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Additionally, the Water System is directed to pay a rescindable penalty of \$1,500.00 by February 28, 2019. **However, if the Water System complies with Citation Directives Nos. 1, 2, 3, 4 and 5 by**

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FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

265 West Bullard Avenue, Suite 101, Fresno, CA 93704 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

Additionally, the Water System is directed to pay a rescindable penalty of \$1,500.00 by February 28, 2019. **However, if the Water System complies with Citation Directives Nos. 1, 2, 3, 4 and 5 by February 28, 2019, the Division will consider, at its sole discretion, terminating the requirement to pay the penalty and will provide written notice to the Water System of its decision.**

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CH SC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Rakel Hairabedian of my staff at 559-447-3300.

Sincerely,



José A. Robledo, P.E.  
Senior Water Resource Control Engineer, Fresno District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No. 7016 3010 0000 0446 2246

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** River Ranch Raisins

**Water System No:** 1000483

**Attention:** Troy Gillespie, Owner

4790 Caughlin Parkway, #808

Reno, NV 89519

**Issued:** January 29, 2019

CITATION FOR NONCOMPLIANCE WITH  
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64423

TOTAL COLIFORM MONITORING VIOLATION

2016, 2017, 2018

NITRATE MONITORING VIOLATION

CALENDAR YEARS 2016, 2017 and 2018

FAILURE TO SUBMIT  
CHANGE OF OWNERSHIP PERMITTING PACKAGE

2016, 2017 and 2018

1 The California Health and Safety Code (hereinafter "CHSC"), Section  
2 116650 authorizes the State Water Resources Control Board (hereinafter  
3 "State Water Board"), to issue a citation to a public water system when the  
4 State Water Board determines that the public water system has violated or  
5 is violating the California Safe Drinking Water Act (hereinafter "California  
6 SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with  
7 Section 116270), or any regulation, standard, permit, or order issued or  
8 adopted thereunder.

9  
10 The State Water Board, acting by and through its Division of Drinking Water  
11 (hereinafter "Division"), and the Deputy Director for the Division, hereby  
12 issues Citation No. 03-23-19C-001 (hereinafter "Citation"), pursuant to  
13 Section 116650 of the CHSC to the River Ranch Raisins (hereinafter "Water  
14 System"), for violation of CHSC, Section 116555(a)(1) and California Code  
15 of Regulations (hereinafter "CCR"), Title 22, Section 64423.

16  
17 Applicable statutes and regulations can be found at:

18 [https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Lawbook.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html)  
19

## 20 **STATEMENT OF FACTS**

21 The Water System is classified as a transient non-community public water  
22 system with a population of forty employees, serving one connection. The  
23 Water System operates without a valid Domestic Water Supply Permit due  
24 to its failure to submit the required change of ownership permitting package.

25  
26 CHSC, Section 116555(a)(1) requires all public water systems to comply  
27 with primary drinking water standards as defined in CHSC, Section  
28 116275(c). Primary drinking water standards include maximum levels of



1 contaminants and the monitoring and reporting requirements as specified in  
2 regulations adopted by the State Water Board that pertain to maximum  
3 contaminant levels.

4  
5 CCR, Title 22, Section 64421(a)(2) states that each water supplier shall  
6 collect routine, repeat and replacement samples as required in Sections  
7 64423, 64424 and 64425. Section 64423 states that a water supplier shall  
8 collect routine bacteriological water samples based on the known population  
9 served or the total number of service connections, whichever results in the  
10 greater number of samples. River Ranch Raisins is required to collect a  
11 minimum of one routine bacteriological sample per quarter.

12  
13 The California State Warning Center contacted the Division on September 2,  
14 2017 to report a laboratory result indicating the presence of total coliform  
15 bacteria in a water sample from River Ranch Raisins. The laboratory  
16 contacted the Center when it was unable to reach any water system  
17 representative. Fresno District staff contacted the Water System advising of  
18 the repeat sampling requirements.

19  
20 As of the date of this Citation, the State Water Board has received no results  
21 for routine bacteriological sample(s) taken during the 2<sup>nd</sup>, 3<sup>rd</sup>, or 4<sup>th</sup> quarters  
22 of 2016, the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> quarters of 2017 or for the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup>  
23 quarters of 2018.

24  
25 Additionally, pursuant to CCR, Title 22, Section 64432.1(a), the Water  
26 System is required to collect one sample annually for nitrate testing from  
27 each active source. During the 2016, 2017 and 2018 compliance periods,

1 the Water System failed to collect a nitrate sample from Well 02 - Primary,  
2 [Primary Station Code: 1000483-002].  
3

4 Please note that under the California Health and Safety Code Section  
5 116730, it is a misdemeanor to operate a public water system without a  
6 permit issued by the Division. The Division issued a letter dated March 23,  
7 2016 outlining the requirements for issuance of a water supply permit to the  
8 new owners of the Water System. As of the date of this citation, no response  
9 has been received.  
10

#### 11 DETERMINATION

12 In accordance with CCR, Title 22, Section 64423, the Water System was  
13 required to collect one bacteriological sample from the distribution system  
14 during each quarter of 2016, 2017 and 2018. The Water System was also  
15 required to collect a nitrate sample from Well 02 during 2016, 2017 and  
16 2018.  
17

18 Therefore, the State Water Board has determined that the Water System  
19 has failed to comply with drinking water standards pursuant to CHSC,  
20 Section 116555(a)(1) and CCR, Title 22, Section 64423 during 2016, 2017,  
21 and 2018.  
22

23 **Due to continued failure to collect and report coliform and nitrate**  
24 **results and the failure to submit a permitting package including the**  
25 **failure to be responsive to the requirements specified in law and in**  
26 **previous enforcement actions, the Division hereby issues a fine of**  
27 **\$1,500 to the Water System should it remain noncompliant with the**  
28 **coliform and nitrate monitoring and reporting requirements.**

1  
2       **PENALTY PURSANT TO HEALTH AND SAFETY CODE SECTION 116650**

3       **The State Water Board hereby assesses upon the Water System a**  
4       **rescindable administrative penalty in the amount of \$1,500. Directive**  
5       **No. 5 describes the requirements for the payment of the Penalty and**  
6       **the conditions for the waiver of the Penalty if compliance is achieved.**

7  
8                       **DIRECTIVES**

9       The Water System is hereby directed to take the following actions:

- 10  
11       1. On or before **February 28, 2019**, notify all persons served by the  
12       Water System of the violation of CCR, Title 22, Sections 64423  
13       and 64432.1(a), in conformance with Sections 64463.4(b) and (c)  
14       and 64465. The Notification Template in Appendix 1 shall be  
15       used to fulfill this Directive, unless otherwise approved by the  
16       State Water Board. The notification shall be completed in  
17       accordance with the following:

- 18  
19       • Posting of the Public Notification in conspicuous places within  
20       the area served by the water system. The notice shall remain  
21       posted for a minimum of seven (7) consecutive days and;

22  
23       By one of the following secondary methods to reach persons not  
24       likely to be reached by posting;

- 25  
26       • By publication in a local newspaper or newsletter distributed to  
27       customers, by internet posting of the notice or by direct  
28       delivery to each customer served by the Water System. If the



1 water system opts to issue the notice via internet website, the  
2 public notice shall remain posted for a minimum of seven (7)  
3 consecutive days.  
4

5 2. Complete Appendix 2: Compliance Certification Form. Submit it  
6 together with a copy of the public notification required by Directive  
7 1 to the State Water Board on or before **February 28, 2019**.  
8

9 3. **By February 28, 2019**, and pursuant to Section 64423, the Water  
10 System shall initiate and maintain a bacteriological monitoring  
11 program required by Title 22, CCR Section 64423 by collecting  
12 one (1) sample from the distribution system each quarter and shall  
13 report the analytical results to the Division at the above address  
14 no later than the tenth day of the following month.  
15

16 4. **By February 28, 2019**, and pursuant to Section 64432.1(a), the  
17 Water system shall collect a nitrate sample from Well 02, and  
18 have the laboratory submit the result to the state's water quality  
19 database using Primary Station Code, 1000483-002 via Electronic  
20 Data Transfer. The Water System shall ensure that monitoring is  
21 conducted annually for nitrate for all of its active sources.  
22

23 5. **By February 28, 2019**, the Water System shall submit a  
24 completed permit application package as detailed in the Division's  
25 letter dated March 23, 2016 (Appendix 4) outlining the  
26 requirements for issuance of a water supply permit to the new  
27 owners of the Water System. Additional copies of that letter's  
28 attachments may be obtained by contacting the Division.



1           6. The Water System is directed to pay the penalty of \$1,500.00  
2           (one thousand five hundred dollars) **by February 28, 2019.**  
3           Payment shall be made by check made payable to the State  
4           Water Resources Control Board – Division of Drinking Water.  
5           Further instruction on submittal of the payment is provided in  
6           Appendix 3, "Notice of Administrative Penalty Form". **However, if**  
7           **the Water System complies with Directives Nos. 1, 2, 3, 4 and**  
8           **5 by February 28, 2019, the Division will consider, at its sole**  
9           **discretion, suspending the penalty and will provide written**  
10          **notice to the Water System of its decision. Additionally, if the**  
11          **Water System complies with all monitoring and reporting**  
12          **requirements established by the Division through February**  
13          **28, 2019, it will consider, at its sole discretion, terminating the**  
14          **requirement to pay the penalty and will provide written notice**  
15          **to the Water System of its decision.**

16  
17  
18       All submittals required by this Citation shall be electronically submitted to the  
19       State Water Board at the following email address. The subject line for all  
20       electronic submittals corresponding to this Citation shall include the  
21       following information: Water System name and number, citation number  
22       and title of the document being submitted.

23  
24                               [dwpdist23@waterboards.ca.gov](mailto:dwpdist23@waterboards.ca.gov)

25  
26       The State Water Board reserves the right to make modifications to this  
27       Citation as it may deem necessary to protect public health and safety. Such

1 modifications may be issued as amendments to this Citation and shall be  
2 effective upon issuance.

3  
4 Nothing in this Citation relieves the Water System of its obligation to meet  
5 the requirements of the California SDWA (CHSC, Division 104, Part 12,  
6 Chapter 4, commencing with Section 116270), or any regulation, standard,  
7 permit or order issued or adopted thereunder.

#### 8 9 **PARTIES BOUND**

10 This Citation shall apply to and be binding upon the Water System, its  
11 owners, shareholders, officers, directors, agents, employees, contractors,  
12 successors, and assignees.

#### 13 14 **SEVERABILITY**

15 The directives of this Citation are severable, and the Water System shall  
16 comply with each and every provision thereof notwithstanding the  
17 effectiveness of any provision.

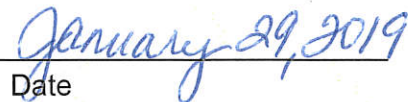
#### 18 19 20 **FURTHER ENFORCEMENT ACTION**

21 The California SDWA authorizes the State Water Board to: issue a citation  
22 or order with assessment of administrative penalties to a public water  
23 system for violation or continued violation of the requirements of the  
24 California SDWA or any regulation, permit, standard, citation, or order  
25 issued or adopted thereunder including, but not limited to, failure to correct a  
26 violation identified in a citation or compliance order. The California SDWA  
27 also authorizes the State Water Board to take action to suspend or revoke a  
28 permit that has been issued to a public water system if the public water

1 system has violated applicable law or regulations or has failed to comply  
2 with an order of the State Water Board, and to petition the superior court to  
3 take various enforcement measures against a public water system that has  
4 failed to comply with an order of the State Water Board. The State Water  
5 Board does not waive any further enforcement action by issuance of this  
6 Citation.

7  
8 

9  
10 Tricia Wathen, Chief  
11 Central California Section  
12 Division of Drinking Water  
13 State Water Resources Control Board  
14

  
Date



15  
16  
17 Appendices [3]

- 18  
19 1. Notification Template  
20 2. Compliance Certification Form  
21 3. Notice of Administrative Penalty Form  
22 4. Letter dated March 23, 2016  
23  
24

25 Certified Mail No. 7016 3010 0000 0446 2246



## APPENDIX 1. NOTIFICATION TEMPLATE

### IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene informacion muy importante sobre su agua potable.  
Por favor hable con alguien que lo pueda traducir.

#### **Bacteriological and Nitrate Monitoring Requirements Not Met for River Ranch Raisins During 2016, 2017 or 2018**

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During calendar years 2016, 2017 and 2018, we did not meet any monitoring requirements for coliform bacteria or for nitrate and therefore cannot be sure of the quality of our drinking water during that time.

#### **What should I do?**

- **You do not need to boil your water or take other corrective actions.**
- The table below lists the contaminants we did not properly test for during 2016, 2017 and 2018, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples will be taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples will be taken
Coliform Bacteria	1 distribution sample per quarter	0	Each quarter	
Nitrate	1 source sample per year	0	Each year	

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done? \_\_\_\_\_  
 \_\_\_\_\_

[Describe corrective action] \_\_\_\_\_  
 \_\_\_\_\_

We anticipate resolving the problem within [estimated time frame]  
 \_\_\_\_\_

For more information, please contact:

[Name of Contact] \_\_\_\_\_  
 [Phone Number] or \_\_\_\_\_  
 [Mailing Address] \_\_\_\_\_

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

### Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by **River Ranch Raisins** in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

State Water System ID: **1000483**. Date distributed: [Date-PN Distribution]

## APPENDIX 2. COMPLIANCE CERTIFICATION

**Citation Number:** 03-23-19C-001

**Name of Water System:** River Ranch Raisins

**System Number:** 1000483

### Certification

I certify that the users of the water supplied by this water system were notified of the nitrate and bacteriological monitoring violations of California Code of Regulations, Title 22, Sections 64432.1(a) and 64423, respectively, for the compliance periods: 2016, 2017 and 2018; and the required actions listed below were completed.

Required Action	Date Completed
<i>(Citation Directive 1) Public Notification Method(s) Used:</i>	
<i>(Citation Directive 3) Submit Administrative Penalty to the State Water Board</i>	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the public notice distributed to the water system's customers.**

<b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN <u>FEBRUARY 28, 2019</u></b>
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**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.



APPENDIX 3. NOTICE OF ADMINISTRATIVE PENALTY FORM

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

Notice of Administrative Penalty

System Name: River Ranch Raisins

System Number: 1000483

Background

On January 8, 2019, the Division of Drinking Water issued Citation 03-23-19C-001 to the River Ranch Raisins Public Water System. The Citation carries a civil penalty in the amount of \$1,500.

Method of Payment

A check for the total amount of the civil penalty and a copy of this form shall be submitted to the State Water Board by **February 28, 2019**. The Citation number shall be written on the check, the check made payable to the State Water Resources Control Board, and submitted to:

SWRCB Accounting Office  
ATTN: Drinking Water Program Fees  
P.O. Box 1888  
Sacramento, CA 95812-1888

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Attach check below: